

## PHARMACY BOARD[657]

### Adopted and Filed Emergency

Pursuant to the authority of Iowa Code section 147.76, the Board of Pharmacy hereby amends Chapter 3, "Pharmacy Technicians," Iowa Administrative Code.

These amendments add, delete, or modify various definitions relating to national certification of pharmacy technicians, recognize certification from either of two certification entities if that certification is attained and maintained prior to July 1, 2010, and establish requirements for accreditation of national certification entities that will be accepted beginning July 1, 2010.

Requests for waiver or variance of the discretionary provisions of these rules will be considered pursuant to 657—Chapter 34.

These amendments were approved during the June 3, 2008, regular meeting of the Board of Pharmacy.

The Board finds, pursuant to Iowa Code section 17A.4(2), that notice and public participation are impracticable due to the immediate need for these amendments in order to amend rules previously adopted but not yet effective. Emergency adoption of these amendments is necessary to ensure that the effective date of these amendments coincides with the effective date of rules adopted and filed in the March 26, 2008, Iowa Administrative Bulletin as **ARC 6668B** and whose effective date was subsequently delayed until July 9, 2008, by the Administrative Rules Review Committee at its April 4, 2008, meeting. Emergency adoption of these amendments will eliminate the confusion that would have been caused by the establishment of differing requirements during the period of notice and comment. The effective date of the previously filed rules was delayed due to objections regarding approved national certification processes; those objections have been resolved by the amendments adopted herein.

The Board also finds, pursuant to Iowa Code section 17A.5(2)"b"(2), that the normal effective date of these amendments, 35 days after publication, should be waived and the amendments should be made effective on July 9, 2008. These amendments confer a benefit on pharmacy technicians and the public by ensuring comparable standards for national certification entities recognized by the Board, thereby ensuring that national certification will result in a standard form of measurement for technician competency. The amendments provide that a pharmacy technician who voluntarily attains national certification from either of two certification entities prior to July 1, 2010, will not be required to recertify with an accredited certification entity as long as the technician maintains that certification.

These amendments are also published herein under Notice of Intended Action as **ARC 6868B** in order to allow for public comment.

These amendments will become effective July 9, 2008.

These amendments are intended to implement Iowa Code section 155A.33 and Iowa Code Supplement sections 155A.6A and 155A.39.

The following amendments are adopted.

ITEM 1. Amend rule 657—3.1(155A) as follows:

**657—3.1(155A) Definitions.** For the purposes of this chapter, the following definitions shall apply:

"*Board*" means the Iowa board of pharmacy.

"*Cashier*" means a person whose duties within the pharmacy are limited to accessing finished, packaged prescription orders and processing payments for and delivering such orders to the patient or the patient's representative.

"*Certified pharmacy technician*" or "*certified technician*" means an individual who holds a valid current national certification ~~from the ICPT or the PTCB~~ and who has registered with the board as a certified pharmacy technician. The term includes an individual registered with the board who voluntarily acquired certification as provided in subrule 3.5(2).

"*Delivery*" means the transport and conveyance of a finished, securely packaged prescription order to the patient or the patient's caregiver.

~~“ExCPT” means the Exam for the Certification of Pharmacy Technicians developed and administered by the ICPT.~~

~~“ICPT” means the Institute for the Certification of Pharmacy Technicians.~~

“Nationally accredited program” means a program and examination for the certification of pharmacy technicians that is accredited by the NCCA.

“NCCA” means the National Commission for Certifying Agencies.

“Nuclear pharmacy technician” means a person who is employed in Iowa by a licensed nuclear pharmacy under the responsibility of an Iowa-licensed qualified nuclear pharmacist to assist in the technical functions of the practice of pharmacy pursuant to 657—Chapter 16.

“Pharmacy technician” or “technician” means a person who is employed in Iowa by a licensed pharmacy under the responsibility of an Iowa-licensed pharmacist to assist in the technical functions of the practice of pharmacy, as provided in rules 3.22(155A) through 3.24(155A).

“Pharmacy technician certification” or “national certification” means a certificate issued by a national pharmacy technician certification authority approved by the board accredited by the NCCA attesting that the technician has successfully completed the requirements of the certification program. The term includes evidence of renewal of the national certification. “National certification,” as that term relates to a nuclear pharmacy technician working exclusively in an Iowa-licensed nuclear pharmacy, shall be as defined in rule 657—16.2(155A).

“Pharmacy technician trainee” or “technician trainee” means an individual who is in training to become a pharmacy technician and who is in the process of acquiring national certification as a pharmacy technician as provided in rule 3.5(155A).

“Pharmacy technician training” or “technician training” means education or experience acquired for the purpose of qualifying for and preparing for national certification.

~~“PTCB” means the Pharmacy Technician Certification Board.~~

“Supervising pharmacist” means an Iowa-licensed pharmacist who is on duty in an Iowa-licensed pharmacy and who is responsible for the actions of a pharmacy technician or other supportive personnel.

“Supportive personnel” means a person, other than a licensed pharmacist, a registered pharmacist-intern, or a registered pharmacy technician, who may perform nontechnical duties assigned by the pharmacist under the pharmacist’s supervision, including delivery, billing, cashier, and clerical functions.

ITEM 2. Amend rule 657—3.5(155A) as follows:

**657—3.5(155A) Certification of pharmacy technicians.** Prior to July 1, 2010, the certification and recertification of pharmacy technicians shall be voluntary and not mandatory. Beginning July 1, 2010, the certification of pharmacy technicians shall be required as provided by this rule. National certification does not supplant the need for licensed pharmacist control over the performance of delegated functions, nor does national certification exempt the pharmacy technician from registration pursuant to these rules.

**3.5(1) Voluntary certification prior to July 1, 2010.** An individual who holds a valid current national certification from the Institute for the Certification of Pharmacy Technicians (ICPT) or the Pharmacy Technician Certification Board (PTCB) and who acquired such certification prior to July 1, 2010, shall be deemed to have met the requirement for national certification beginning July 1, 2010, provided the certification is maintained in current standing.

**3.5(1) 3.5(2) Approved pharmacy technician Required certification effective July 1, 2010.** The board hereby approves the PTCB. Beginning July 1, 2010, a pharmacy technician shall acquire national certification through any NCCA-accredited pharmacy technician certification program and examination, the successful completion of which fulfills the requirement for national certification. ~~The board also approves the ICPT certification program and ExCPT, the successful completion of which fulfills the requirement for national certification.~~ National certification of a nuclear pharmacy technician employed solely in the practice of nuclear pharmacy shall be pursuant to certification requirements identified in 657—Chapter 16.

~~3.5(2)~~ **3.5(3)** *Pharmacy technician trainee.* Beginning July 1, 2009, a person who is in the process of acquiring national certification as a pharmacy technician shall register with the board as a pharmacy technician trainee. The registration shall be issued for a period of one year and shall not be renewed.

~~3.5(3)~~ **3.5(4)** *Certified pharmacy technician.* Beginning July 1, 2010, all applicants for a new pharmacy technician registration, except as provided by subrule ~~3.5(2)~~ **3.5(3)**, and all applicants for renewal of a pharmacy technician registration shall provide proof of current national pharmacy technician certification and shall complete the application for certified pharmacy technician registration.

ITEM 3. Amend subrules 3.10(2)3.10(3) as follows:

**3.10(2)** *Registration ~~effective~~ beginning July 1, 2009.* The fee for obtaining an initial certified pharmacy technician registration or for biennial renewal of a certified pharmacy technician registration beginning July 1, 2009, shall be \$50 plus applicable surcharge pursuant to rule 657—30.8(155A).

**3.10(3)** *Technician trainee registration ~~effective~~ beginning July 1, 2009.* The fee for a one-year pharmacy technician trainee registration shall be \$20 plus applicable surcharge pursuant to rule 657—30.8(155A).

[Filed Emergency 6/9/08, effective 7/9/08]

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 7/2/08.